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November 26, 2008

FILED/ACCEPTED

NOV 26 2008

Federal Communications Commission
Office of the Secretary

VIA HAND DELIVERY

Marlene H. Dortch, Secretary
Federal Communications Commission
Portals II, Filing Center, TW-A325
Washington, D.C. 20554

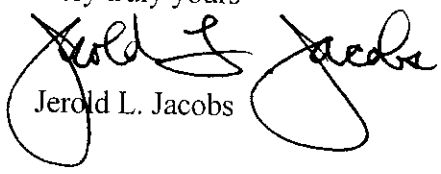
Re: Amarillo Junior College District (FRN 0001-6561-15)
Final DTV Table of Allotments
Amarillo, Texas
Petition for Rule Making

Dear Ms. Dortch

Enclosed herewith for filing, on behalf of our client, Amarillo Junior College District ("Amarillo"), licensee of Station KACV-DT, Amarillo, Texas, are an original and four (4) copies of its **"PETITION FOR RULE MAKING"** in the above-referenced proceeding.

Please direct any inquiries or correspondence concerning this matter to the undersigned.

Very truly yours



Jerold L. Jacobs

Enc.

cc: Barbara A. Kreisman, Chief, Video Division **(FCC -- BY HAND – w/enc.)**

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MB 08-113

BEFORE THE

Federal Communications Commission

In the Matter of	)	
	)	
Amendment of Section 73.622(i),	)	RM-
Final DTV Table of Allotments,	)	
Television Broadcast Stations	)	
(Amarillo, Texas)	)	

To: Chief, Video Division
Media Bureau

PETITION FOR RULE MAKING

AMARILLO JUNIOR COLLEGE DISTRICT ("Amarillo"), licensee of Station KACV-DT, DTV Channel 8, Amarillo, Texas, by its attorneys, pursuant to §1.401 of the Commission's Rules, hereby petitions the Commission to institute a rulemaking proceeding to amend the Final DTV Table of Allotments (§73.622(i) of the Commission's Rules) to substitute Channel *9 for Channel *8 at Amarillo, Texas, and to modify the license of Station KACV-DT to specify operations on DTV Channel 9. In support whereof, Amarillo shows the following:

1. Amarillo has been operating Station KACV-DT on DTV Channel 8 at its full authorized power of 5 kilowatts since April 2004 (License File No. BLEDT-20040322ADV). At 5 kilowatts, KACV-DT is not maximizing its potential audience and service area and is not maximizing the effective use of its frequency. However, the technical constraints of operation on DTV Channel 8 at Amarillo, with other DTV facilities operating on the same frequency elsewhere, preclude Amarillo from improving its facilities at all without a change in DTV channel.

2. Attached as Exhibit A is the Engineering Statement ("Statement") of the consulting engineering firm of Cohen, Dippell and Everist, P.C., which fully demonstrates that, using a

Longley-Rice analysis, changing KACV-DT's channel to DTV Channel 9 is predicted to cause acceptable interference less that 0.5% to potentially affected post-transition facilities in both the Final DTV Table of Allotments and the Commission's DTV CDBS database. Statement at 4. Specifically, the requested facility in this Petition for KACV-DT on Channel 9 is with 30 kW non-directional ERP and 398 meters HAAT. KACV-DT requests Channel 9 in Amarillo, Texas for its post-transition operation since Station KFDA-DT, Amarillo, Texas, will abandon its pre-transition DTV Channel 9 licensed facilities and commence operation on DTV Channel 10 post-transition. Amarillo maintains that the proposed operation by KACV-DT on Channel 9, instead of Channel 8, "is essential to provide a reliable service to over-the-air viewers, television translators, and cable systems that currently do not receive a reliable signal from the licensed DTV operation compared to the licensed NTSC operation. The proposed DTV noise-limited service contour essentially replicates the licensed NTSC Grade B contour". Statement at 1. Moreover, as shown in Exhibit E-1 of the Statement, the principal community of Amarillo, Texas will be served by the proposed KACV-DT, 43 dBu F(50, 90) coverage contour. Statement at 4.

3. Thus, Amarillo requests the following change in the Final DTV Table of Allotments:

	Channel Number	
City	**Present**	**Proposed**
Amarillo, Texas	*8	*9

As the Statement indicates (at 1), KACV-DT currently operates at a site different from its currently licensed NTSC site. In this proposal, KACV-DT would return to its currently licensed NTSC site, change its DTV Channel from 8 to 9, increase its ERP to 30 kilowatts, instead of its currently-licensed 5 kilowatts, and decrease its antenna height from 519 meters HAAT to 398 meters HAAT (Statement at 1 and 2).

4. If the proposed frequency change is granted, Amarillo hereby indicates its intention to promptly file any FCC Form 340 modification application necessary to implement it.

WHEREFORE, in view of the foregoing, Amarillo respectfully requests that the Commission should issue a Notice of Proposed Rule Making in accordance with this Petition and its accompanying Engineering Statement and should grant the proposed change in the Final DTV Table of Allotments and modify KACV-DT's license accordingly.

Respectfully submitted,

AMARILLO JUNIOR COLLEGE DISTRICT

By _____
Jerold L. Jacobs

Cohn and Marks LLP
1920 N Street, N.W. Suite 300
Washington, D.C. 20036-1622
(202) 293-3860

Its Attorneys

Dated: November 26, 2008

EXHIBIT A

ENGINEERING STATEMENT
RE PETITION FOR RULEMAKING
TO AMEND THE FINAL DTV TABLE OF ALLOTMENTS
ON BEHALF OF
AMARILLO JUNIOR COLLEGE DISTRICT
KACV-DT, AMARILLO, TEXAS
CHANNEL 9 30 KW ND ERP 398 METERS HAAT

NOVEMBER 2008

COHEN, DIPPELL AND EVERIST, P.C.
CONSULTING ENGINEERS
RADIO AND TELEVISION
WASHINGTON, D.C.

COHEN, DIPPELL AND EVERIST, P. C.

City of Washington)
) ss
District of Columbia)

Donald G. Everist, being duly sworn upon his oath, deposes and states that:

He is a graduate electrical engineer, a Registered Professional Engineer in the District of Columbia, and is President, Secretary and Treasurer of Cohen, Dippell and Everist, P.C., Consulting Engineers, Radio - Television, with offices at 1300 L Street, N.W., Suite 1100, Washington, D.C. 20005;

That his qualifications are a matter of record in the Federal Communications Commission;

That the attached engineering report was prepared by him or under his supervision and direction and

That the facts stated herein are true of his own knowledge, except such facts as are stated to be on information and belief, and as to such facts he believes them to be true.

Donald G. Everist
District of Columbia
Professional Engineer
Registration No. 5714

Subscribed and sworn to before me this 21st day of November 2008.

Notary Public

My Commission Expires: 2/28/2013

COHEN, DIPPELL AND EVERIST, P. C.

City of Washington)
) ss
District of Columbia)

Martin R. Doczkat being duly sworn upon his oath, deposes and states that:

He is a graduate electrical engineer of the Pennsylvania State University, and is a staff engineer at Cohen, Dippell and Everist, P.C., Consulting Engineers, Radio - Television, with offices at 1300 L Street, N.W., Suite 1100, Washington, D.C. 20005;

That the attached engineering report was prepared by him or under his supervision and direction and

That the facts stated herein are true of his own knowledge, except such facts as are stated to be on information and belief, and as to such facts he believes them to be true.

Martin R. Doczkat

Subscribed and sworn to before me this 21st day of November, 2008.

Notary Public

My Commission Expires: 2/28/2013

Introduction

This engineering statement supports the Petition for Rulemaking filed on behalf of Amarillo Junior College District to modify its facilities by requesting a new channel in the Final DTV Table of Allotments for its licensed DTV station KACV-DT, Amarillo, Texas.

KACV-DT, Amarillo, Texas

The proposed final DTV Table of Allotments released as Appendix B with the Memorandum Opinion and Order on Reconsideration of the Seventh Report and Order and Eighth Report and Order ("Memorandum Opinion and Order")[1] listed KACV-DT on Channel 8 with 5 kW non-directional ERP and 519 meters HAAT. This allotted facility for KACV-DT is equivalent to its currently licensed operation, which shares a common antenna at the same site as KVII-TV, Channel 7, Amarillo, Texas. In order to expand coverage, it is necessary for KACV-DT to return to its currently licensed NTSC site, change its channel from 8 to 9, and operate with a higher ERP in an effort to serve as many viewers as possible that currently receive the KACV-TV, Channel 2 NTSC television signal. Station staff at KACV-TV indicate that the proposed modification is essential to provide a reliable service to over-the-air viewers, television translators, and cable systems that currently do not receive a reliable signal from the licensed DTV operation compared to the licensed NTSC operation. The proposed DTV noise-limited service contour essentially replicates the licensed NTSC Grade B contour.

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[1] "Memorandum Opinion and Order on Reconsideration of the Seventh Report and Order and Eighth Report and Order In the Matter of Advanced Television Systems and their Impact Upon the Existing Television Broadcast Service", MB Docket No. 87-268, Adopted March 3, 2008, Released March 6, 2008, Appendix B FCC 08-72.

The requested facility in this Petition for Rulemaking for KACV-DT on Channel 9 is with 30 kW non-directional ERP and 398 meters HAAT. KACV-DT requests Channel 9 in Amarillo, Texas for its post-transition operation since KFDA-DT, Amarillo, Texas will abandon its pre-transition Channel 9 licensed facilities and commence operation on Channel 10 post-transition. A post-transition Longley-Rice analysis, the methodology of which is discussed in a separate section of this statement, predicts that this requested KACV-DT facility causes the interference listed in Table I to other potentially affected full-service facilities in the FCC's consolidated database system ("CDBS") and in the Final DTV Table of Allotments. As can be seen in the "results" column of Table I, all potentially affected stations in the CDBS or the Final DTV Table of Allotments, except for the currently licensed operation of KFDA-DT on Channel 9 which will be abandoned at the transition and is not within the scope of this study, experience no more than 0.5% interference due to the requested facility in this Petition for Rulemaking.

Longley-Rice Interference Methodology

As stated in the Third Periodic Review[2] and the Memorandum Opinion and Order,[3] the FCC allows 0.5% interference to be caused in addition to "existing" interference. The "existing" interference in this analysis considers two separate databases, the CDBS and the Final DTV Table of Allotments. No analog television facilities were considered and all digital television facilities

[2]"Report and Order In the Matter of Third Periodic Review of the Commissions Rules and Policies Affecting the Conversion To Digital Television", MB Docket No. 03-15, RM 9832, Adopted December 22, 2007, Released December 3, 2007, FCC 07-228.

[3]Ibid.

were assumed to be operating in accordance with the Final DTV Table of Allotments or in accordance with requested or authorized facilities in CDBS on either their allotted channel or petitioned new channel, if applicable.

An analysis of predicted interference caused by the proposed KACV-DT facility used the FCC's FORTRAN-77 code which was modified only to the extent necessary (primarily input/output handling) for the program to run on a Windows XP/Intel platform. Comparison of service/interference areas and populations indicates that this model closely matches the FCC's evaluation program. Best efforts have been made to use data and calculations identical to the FCC's program. Any slight differences are attributable to compiler, operating system and/or processor characteristics. The effect of any variance in calculated population values versus the FCC's program is minimized when differencing a given model's results, such as calculating new interference as total interference less baseline interference. Any variance effect is further reduced when using ratios of calculated population values such as measuring the incremental population affected as a percent of the total population served. The model employs the Longley-Rice propagation methodology and evaluates in grid cells of approximately 4 km^2 using 3-second terrain data sampled approximately every 1.0 km at one degree azimuth intervals with 2000 Census centroids.

Stations were selected according to the FCC Public Notice dated August 10, 1998 and entitled, "Additional Application Processing Guidelines for Digital Television", which outlines the station selection criteria "culling distances" for considering potential interference scenarios.

Coverage

The average elevation data for 3.2 to 16.1 km along the eight cardinal radials has been determined from the NGDC 3-second database. The F(50,90) DTV coverage contours have been computed from reference to the propagation data for Channel 9 as published by the FCC in Figure 10 and 10a, Section 73.699 of the FCC Rules and Regulations. Utilizing the formula in Section 73.625(b)(2) of the rules for the effective heights, it is found that the depression angle, A_h, varies from 0.519 to 0.602 degrees. Since the relative vertical field is assumed to be greater than 90% of the maximum at these depression angles, the maximum power was used in determining the distance to the DTV contour.

Table II shows the distances to the proposed 43 dBu and 36 dBu F(50,90) coverage contours along the eight cardinal radials. Exhibit E-1 shows the proposed KACV-DT, 43 dBu and 36 dBu F(50,90) coverage contours on a map and includes the legal boundaries of Amarillo, Texas. As can be seen on Exhibit E-1, the principal community of Amarillo, Texas will be served by the proposed KACV-DT 43 dBu F(50,90) coverage contour.

Conclusion

Based on Longley-Rice analysis, the KACV-DT facilities requested in this Petition for Rulemaking on Channel 9 are predicted to cause acceptable interference less than 0.5% to potentially affected post-transition facilities in both the final DTV Table of Allotments and the FCC's CDBS according to FCC policy. The proposed operation of KACV-DT is predicted to fully serve Amarillo, Texas with the FCC's DTV City Grade contour.

COHEN, DIPPELL AND EVERIST, P.C.

TABLE I
PREDICTED POST-TRANSITION LONGLEY-RICE INTERFERENCE
DUE TO THE PETITION FOR RECONSIDERATION
OF THE FINAL DTV TABLE OF ALLOTMENTS FOR
KACV-DT, AMARILLO, TEXAS
CHANNEL 9 30 KW ND ERP 398 METERS HAAT
NOVEMBER 2008

Proposed Transmitter Site:
North Latitude: 35° 20' 33"
West Longitude: 101° 49' 21"
(NAD-27)

Channel	Call	City/State	Dist(km)	Status	FCC File No.	Result
8	KWET-DT	CHEYENNE OK	197.1	ALLOT		no interference
8	KWET-DT	CHEYENNE OK	197.1	LIC	BLEDT-20060601BMA	no interference
8	KACV-DT	AMARILLO TX	6.5	LIC	BLEDT-20040322ADV	0.0%
8	KACV-DT	AMARILLO TX	6.5	ALLOT		0.0%
9	KNMD-DT	SANTA FE NM	420.1	LIC	BLEDT-20040914AAT	no interference
9	KNMD-DT	SANTA FE NM	420.1	ALLOT		no interference
9	KWTV-DT	OKLAHOMA CITY OK	392.3	ALLOT		0.0%
9	KWTV-DT	OKLAHOMA CITY OK	392.3	CP	BPCDT-20080317AFP	0.01%
9	KWTV-DT	OKLAHOMA CITY OK	392.3	APP	BMPCDT-20080619ADT	0.01%
9	KWES-DT	ODESSA TX	385.4	ALLOT		no interference
9	KWES-DT	ODESSA TX	385.4	CP	BPCDT-20080317ADS	no interference
10	KFDA-DT	AMARILLO TX	5.9	ALLOT		no interference
10	KFDA-DT	AMARILLO TX	5.9	CP	BPCDT-20080313ACJ	no interference

DTV Channel 9 (186-192 MHz)
Average Elevation 3.2 to 16.1 km 1035 meters AMSL*
Center of Radiation 1433 meters AMSL
Antenna Height Above Average Terrain 398 meters*
Effective Radiated Power 30 kW (14.77 dBk)

*Based on data from FCC 3-second database.

COHEN, DIPPELL AND EVERIST, P.C.

TABLE II
COMPUTED COVERAGE DATA
FOR THE PROPOSED DTV OPERATION OF
KACV-DT, AMARILLO, TEXAS
CHANNEL 9 30 KW ERP 398 METERS HAAT
NOVEMBER 2008

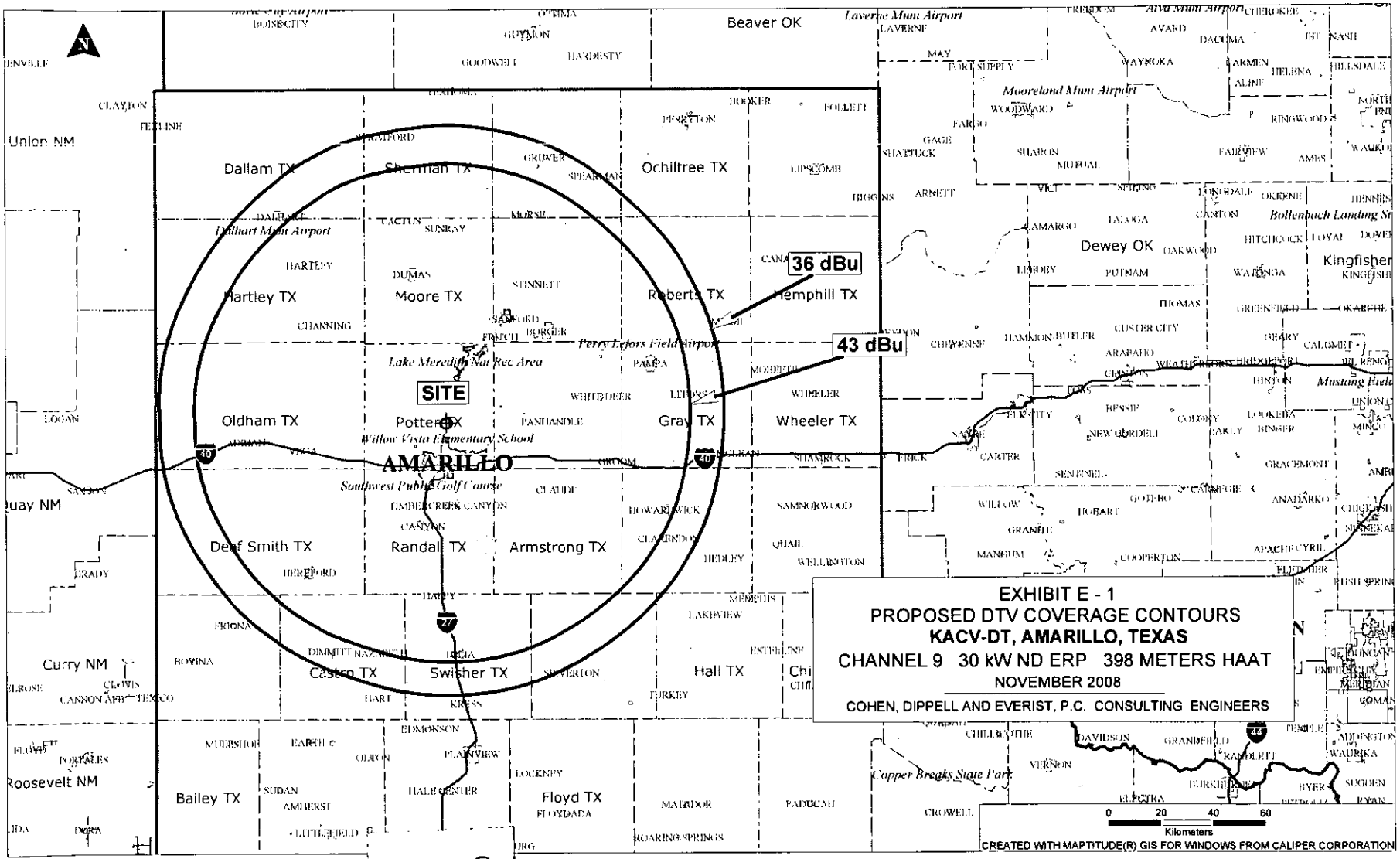
Radial Bearing N ° E, T	Average* Elevation 3.2 to 16.1 km meters	Effective Height meters	Depression Angle	ERP At Radio Horizon kW	Distance to Contour F(50,90) 43 dBu City Grade km	36 dBu Noise-Limited km
0	961.3	471.7	0.602	30	100.3	115.0
45	1014.6	418.4	0.567	30	96.6	110.4
90	1068.0	365.0	0.529	30	93.2	106.1
135	1081.2	351.8	0.520	30	92.2	105.1
180	1081.6	351.4	0.519	30	92.2	105.0
225	1051.5	381.5	0.541	30	94.4	107.4
270	1027.6	405.4	0.558	30	95.9	109.3
315	994.8	438.2	0.580	30	97.8	112.2
Average	1035	398				

*Based on data from FCC 3-second data base

DTV Channel 9 (186-192 MHz)
Average Elevation 3.2 to16.1 km 1035 meters AMSL
Center of Radiation 1433 meters AMSL
Antenna Height Above Average Terrain 398 meters
Effective Radiated Power 30 kW (14.77 dBk) Max.

North Latitude: 35° 20' 33"
West Longitude: 101° 49' 21"

(NAD-27)


36 dBu
43 dBu
SITE
AMARILLO
Dallam TX
Sherman TX
Ochiltree TX
Hartley TX
Moore TX
Roberts TX
Hemphill TX
Oldham TX
Potter TX
Gray TX
Wheeler TX
Deaf Smith TX
Randall TX
Armstrong TX
Castro TX
Swisher TX
Hall TX
Bailey TX
Floyd TX
Beaver OK
Dewey OK
Kingfisher
Union NM
Curry NM
Roosevelt NM
Quay NM
Lake Meredith Nat Rec Area
Willow Vista Elementary School
Southwest Public Golf Course
Dalhart Muni Airport
Perry Lefors Field Airport
Laverne Muni Airport
Mooreland Muni Airport
Copper Breaks State Park
Bollenbach Landing St
Mustang Field
EXHIBIT E - 1
PROPOSED DTV COVERAGE CONTOURS
KACV-DT, AMARILLO, TEXAS
CHANNEL 9 30 kW ND ERP 398 METERS HAAT
NOVEMBER 2008
COHEN, DIPPELL AND EVERIST, P.C. CONSULTING ENGINEERS
0 20 40 60
Kilometers
CREATED WITH MAPTITUDE(R) GIS FOR WINDOWS FROM CALIPER CORPORATION